
SENATE BILL 5856

State of Washington

54th Legislature

1995 Regular Session

By Senators Hale, Roach, McCaslin, Loveland, Moyer, Hargrove, Hochstatter, Owen, Morton, Deccio, Long, Johnson and Oke

Read first time 02/09/95. Referred to Committee on Government Operations.

1 AN ACT Relating to local improvement districts; and amending RCW
2 35.43.180.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 35.43.180 and 1983 c 303 s 3 are each amended to read
5 as follows:

6 The jurisdiction of the legislative authority of a city or town to
7 proceed with any local improvement initiated by resolution shall be
8 divested by a protest filed with the city or town council within thirty
9 days from the date of passage of the ordinance ordering the
10 improvement, signed by the owners of the property within the proposed
11 local improvement district or utility local improvement district
12 subject to (~~sixty~~) forty percent or more of the total cost of the
13 improvement including federally-owned or other nonassessable property
14 as shown and determined by the preliminary estimates and assessment
15 roll of the proposed improvement district or, if all or part of the
16 local improvement district or utility local improvement district lies
17 outside of the city or town, such jurisdiction shall be divested by a
18 protest filed in the same manner and signed by the owners of property
19 which is within the proposed local improvement district or utility

1 local improvement district but outside the boundaries of the city or
2 town, and which is subject to (~~sixty~~) forty percent or more of that
3 part of the total cost of the improvement allocable to property within
4 the proposed local improvement district or utility local improvement
5 district but outside the boundaries of the city or town, including
6 federally-owned or other nonassessable property: PROVIDED, That such
7 restraint by protest shall not apply to any of the following local
8 improvements, if the legislative body finds and recites in the
9 ordinance or resolution authorizing the improvement that such
10 improvement is necessary for the protection of the public health and
11 safety and such ordinance or resolution is passed by unanimous vote of
12 all members present: (1) Sanitary sewers or watermains where the
13 health officer of the city or town, or department of ecology, files
14 with the legislative authority a report showing the necessity for such
15 improvement; and (2) fire hydrants where the chief of the fire
16 department files a report showing the necessity for such improvement.

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